

#9 Election  
PATENT  
8/1/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 01-057)

In the Application of:

Chevalier

Serial No.: 09/744,659

Filing Date: April 18, 2001

For: Trimer of HIV env  
Gene Expression Product



Examiner: U. Winkler

Group Art Unit: 1648

Confirmation No.: 3396

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RESPONSE TO THE OFFICE ACTION MAILED JUNE 18, 2002

Box Non-Fee Amendment  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Responsive to the Office Action mailed June 18, 2002, the applicant elects Group I with traverse. The applicant respectfully traverses because all claims share the same special technical feature, HIV gp160 trimers. All the claims are directed to composition or methods relating to HIV gp160 trimers. The prior art (including U.S. 6,140,059, cited by the Examiner) does not disclose purified trimers or methods of making them, as presently claimed. In view of the foregoing, the applicant submits that restriction is improper and respectfully requests its reconsideration and withdrawal.

If there are any questions or comments regarding this Response or application, the Examiner is encouraged to contact the undersigned attorney as indicated below.

Respectfully submitted,

Michael S. Greenfield  
Registration No. 37,142

Date: July 15, 2002

Telephone: 312-913-0001  
Facsimile: 312-913-0002

McDonnell Boehnen Hulbert & Berghoff  
300 South Wacker Drive  
Chicago, IL 60606

**CERTIFICATE OF MAILING (37 C.F.R. 1.8a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, Washington D.C. 20231, on July 15, 2002.

Date: July 15, 2002

Michael S. Greenfield